

Message Text

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ACTION NEA-10

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FM AMEMBASSY TEL AVIV

TO SECSTATE WASHDC IMMEDIATE 4036

INFO AMCONSUL JERUSALEM

C O N F I D E N T I A L TEL AVIV 8203

E.O. 11652: GDS

TAGS: SHUM, MASS, IS

SUBJECT: DRAFT HUMAN RIGHTS OBSERVANCE REPORT

REF: STATE 295770

1. IN GENERAL WE AGREE WITH THE DRAFT HUMAN RIGHTS REPORT ON ISRAEL AND HAVE ONLY THE FOLLOWING MINOR CHANGES TO SUGGEST. THE DEPARTMENT MAY WISH TO REVIEW THE EMBASSY'S A-100 OF MAY 10, 1976 REGARDING THIS SUBJECT FOR A DETAILED DISCUSSION OF MANY OF THESE POINTS.

2. DRAFT HUMAN RIGHTS REPORT ON ISRAEL:

I. POLITICAL SITUATION:

6TH LINE: CHANGE "PERPETUAL" TO "CONTINUING."

14TH LINE: AFTER THW WORDS "ARAB POLITICAL" ADD THE WORDS "AND ECONOMIC."

II. LEGAL SITUATION.

FIRST PARAGRAPH, 7TH LINE: AFTER THE WORDS "CIVIL COURTS IN THE U.S." ADD "(E.G., MARRIAGE AND DIVORCE)."

SECOND PARAGRAPH, 4TH LINE: AFTER THE WORDS "SECURITY THREAT POSED BY" ADD THE WORDS "OCCASIONAL DEMONSTRATIONS AND."

10TH LINE: AFTER THE WORDS "NEVERTHELESS, JORDANIAN LAW" ADD THE WORDS "WITH SOME ISRAELI MODIFICATIONS (E.G., ELECTION LAW AND VALUE ADDED TAX)."

11TH LINE: AFTER WORDS "ON THE WEST BANK" ADD "BUT NOT IN EAST JERUSALEM."

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THIRD PARAGRAPH: THE FIRST TWO CLAUSES OF THE FIRST SENTENCE SHOULD READ "UNDER BRITISH MANDATE EMERGENCY REGULATIONS STILL IN FORCE ON THE WEST BANK, THE MILITARY AUTHORITIES..."

6TH LINE: AFTER THE WORDS "TERMS OF DETENTION ARE" REPLACE "COMMONLY" BY "UP TO." AT THE END OF THIS PARAGRAPH ADD THE FOLLOWING SENTENCE: "SIMILARLY, EGYPTIAN LAW IS APPLIED IN THE GAZA STRIP AND SYRIAN LAW IS APPLIED IN THE OCCUPIED GOLAN HEIGHTS."

III. OBSERVANCE OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.

A. INTEGRITY OF THE PERSON.

ARTICLE 3, 7TH LINE: REPLACE THE WORDS "BLOWN UP" WITH "RAZED."

9TH LINE: REPLACE THE WORDS "ONLY RARELY" WITH "LESS FREQUENTLY."

ARTICLE 5: 1ST SENTENCE SHOULD READ AS FOLLOWS: "THERE HAVE BEEN DOCUMENTED REPORTS THAT ISRAELI AUTHORITIES HAVE ENGAGED IN INHUMANE TREATMENT IN ATTEMPTING TO PRESERVE ORDER IN THE OCCUPIED TERRITORIES AS WELL AS CHARGES OF TORTURE."

IN THE SECOND SENTENCE DELETE THE WORDS "APPEAR TO HAVE OCCURRED ONLY RARELY IN INDIVIDUAL CASES AND".

ARTICLE 9, 3RD LINE: DELETE THE WORD "ARAB."

5GH LINE: REPLACE THE WORDS "ON OCCASION" WITH "AS RECENTLY AS APRIL 1976."

B. OTHER IMPORTANT FREEDOMS.

THE LAST THREE SENTENCES SHOULD READ AS FOLLOWS: "BOTH THE HEBREW AND ARABIC PRESS ARE FREE AND EXPRESS A WIDE VAIRETY OF OPINIONS; HOWEVER, ALL NEWSPAPERS FROM ISRAEL AND THE OCCUPIED TERROTORIES ARE SUBJECT TO CENSORSHIP. POLITICAL FREEDOM IS GUARANTEED FOR ALL SHADES OF POLITICAL VIEWS. ELECTIONS IN THE OCCUPIED WEST BANK IN APRIL 1976, FOR EXAMPLE, CHOSE MAYORS AND CITY COUNCIL MEMBERS WHO ARE ARAB NATIONISTS LEADERS BASICALLY HOSTILE TO ISRAELI OCCUPATION; ISRAEL REGARDS THOSE LEADERS AS FREELY ELECTED AND THUS DULY CONSTITUTED AND LEGITIMATE." AT THE END OF THAT PARAGRAPH ADD THE FOLLOWING SENTENCE: HOWEVER, ISRAEL DOES NOT PERMIT POLITICAL PARTIES IN THE OCCUPIED TERRITORIES AND THE PALESTINIANS CLAIM THEY ARE DENIED SELF-DETERMINATION AND POLITICAL FREEDOM."

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